

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ROSS BARRANCO & KATIE  
SHIER,

Plaintiffs,

v.

UNIVERSITY OF MICHIGAN  
BOARD OF REGENTS,

A State Funded University,

Defendant.

Case No. 2:23-cv-10646

Hon. Nancy G. Edmunds  
Magistrate Judge Elizabeth A. Stafford

**STIPULATION TO EXTEND DEADLINE  
TO RESPOND TO THE COMPLAINT**

The undersigned Parties hereby stipulate to the following:

1. Plaintiffs have filed a complaint against the Defendant, the University of Michigan Board of Regents.
2. The Court previously entered a stipulated order establishing a deadline of June 9, 2023, to respond to the complaint. *See* ECF No. 5 at PageID.42.
3. In light of developing epidemiological and other factual circumstances, effective April 27, 2023,<sup>1</sup> the University has changed its Transplant Center COVID-

---

<sup>1</sup> *Cf.*, e.g., Dep't of Health & Hum. Servs., *Fact Sheet: COVID-19 Public Health Emergency Transition Roadmap*, <https://bit.ly/3VfevBf> (last accessed Apr. 27, 2023).

19 Vaccination Requirement for Adult Transplant Candidates. Relevant to this litigation, COVID-19 vaccination will no longer be required prior to wait-listing of potential adult solid organ transplant recipients.

4. The parties have reached a resolution in this action. The parties are actively working to finalize settlement papers. After those papers are finalized, the parties will submit a proposed order of dismissal to the Court.

5. In agreeing to this Stipulation, the Defendant fully maintains and preserves all other defenses and objections, including immunities. *See* ECF No. 5 at PageID.43.

6. Plaintiffs also fully maintain and preserve all rights. *See id.*

7. Therefore, the Parties stipulate that the Defendant shall file and serve an answer or a motion under Rule 12 on or before June 30, 2023.

Dated: June 9, 2023

Respectfully submitted,

/s/ David C. Peters, II (with consent)

David C. Peters, II, JD, MS, PhD, Esq.  
Licensed in Michigan (P48648)  
PACIFIC JUSTICE INSTITUTE  
Metro Detroit Office  
PO Box 51787  
Livonia, MI 48151-1787  
Phone: (734) 732-4050/(916) 857-6900  
dpeters@pji.org

*Counsel for Plaintiff*

/s/ Stephen J. Cowen

Stephen J. Cowen (P82688)  
JONES DAY  
150 W. Jefferson Ave  
Suite 2100  
Detroit, MI 48226-4438  
P: (313) 733-3939  
scowen@jonesday.com

*Counsel for Defendants*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ROSS BARRANCO & KATIE  
SHIER,

Plaintiffs,

v.

UNIVERSITY OF MICHIGAN  
BOARD OF REGENTS,

A State Funded University,

Defendant.

Case No. 2:23-cv-10646

Hon. Nancy G. Edmunds  
Magistrate Judge Elizabeth A. Stafford

**ORDER TO EXTEND DEADLINE  
TO RESPOND TO COMPLAINT**

Pursuant to a Stipulation to Extend Deadline to Respond to the Complaint dated June 9, 2023, the Court orders that the Defendant shall file and serve an answer or a motion under Rule 12 on or before June 30, 2023. Consistent with the Stipulation, Defendant fully maintains all other defenses and objections, including immunities. Plaintiffs also fully maintain and preserve all rights.

s/ Nancy G. Edmunds  
Hon. Nancy G. Edmunds  
United States District Judge

Dated: June 12, 2023